



CITY OF MIAMI SPRINGS, FLORIDA

CITY CLERK'S SUMMARY OF COUNCIL ACTIONS

Regular Meeting of Tuesday, September 14, 2010 - 7:00 p.m. – Council Chambers

AGENDA

<u>ITEM #</u>	<u>SUBJECT</u>	<u>ACTION TAKEN</u>
1.	Call to Order/Roll Call	All present. The meeting was called to order at 7:00 p.m.
2.	Invocation	Offered by Mayor Bain.
	Salute to the Flag	The audience participated.
3.	Awards & Presentations	
3A)	Officer of the Month Award	Chief of Police Peter G. Baan presented the Officer of the Month Award for August 2010 to Officer Darryl M. Cates.
4.	Open Forum:	
	Springs River Festival	Sandy Martini of 6055 N. W. 37 th Street, Apartment 18, Virginia Gardens, Chairwoman of the Springs River Festival requested approval of April 8-10 to hold the Festival next year and requested a donation. To be scheduled as an agenda item for the next meeting to consider the request.
	Golf Course	Luis Mehech of 40 Curtiss Parkway recently applied for the Premier Card, which is a golf discount card that is honored at many courses in Miami-Dade and Broward County. He felt that the Miami Springs Golf Course would benefit from this program.

4) Annexation

Chuck Adams of Palmetto Drive asked if the Florida East Coast (FEC) railroad property was deleted from the City's annexation application.

City Attorney Seiden answered affirmatively and explained that FEC agreed that if the area stops being an area of public significance in the County that they will subject themselves to annexation by the City at that time. FEC is not subject to annexation as long as they function in a terminal capacity.

Mr. Adams expressed his concern about the industrial use of the property and the gas pipeline installation.

Code Enforcement

Mr. Adams complained about the lack of enforcement in regard to illegal conversions and rentals of single family homes. He alleged that there is selective code enforcement within the City.

City Manager Borgmann responded that Code Compliance had been following up on a list of properties and the City Attorney had worked closely with Staff to resolve the cases.

5. Approval of Council Minutes

(Simultaneously approved)

5A) 08/23/2010 Regular Meeting

Minutes of the August 23, 2010 Regular Meeting were **approved as written**.

Motion: Councilman Best

Second: Vice Mayor Lob

Voice Vote: 5-0

5B) 08/25/2010 Special Meeting

Minutes of the August 25, 2010 Special Meeting were **approved as written**.

Motion: Councilman Best

Second: Vice Mayor Lob

Voice Vote: 5-0

6. Reports from Boards & Commissions

- 6A) Board of Parks and Parkways Minutes of the August 5, 2010 Board of Parks and Parkways meeting were received for information without comment.
- 6B) Historic Preservation Board Minutes of the August 19, 2010 Historic Preservation Board meeting were received for information without comment.
- 6C) Code Review Board Cancellation Notice of the August 26, 2010 Code Review Board meeting was received for information without comment.
- 6D) Code Enforcement Board Minutes of the September 7, 2010 Code Enforcement Board meeting were received for information without comment.
- 6E) Golf and Country Club Advisory Board Cancellation Notice of the September 8, 2010 Golf and Country Club Advisory Board meeting was received for information without comment.
- 6F) Board of Adjustment Council **approved** the actions taken by the Board of Adjustment at their meeting of September 1, 2010, subject to the ten-day appeal period.
Motion: Vice Mayor Lob
Second: Councilman Best
Vote: 5-0

7. Public Hearings:

- 7A) Resolution No. 2010-3487 Motion to **approve** the usage of \$67,000 plus the \$33,000 left over to reduce the budget by \$100,000 for Fiscal Year 2010-2011.
Motion: Councilman Best
Second: Vice Mayor Lob
Vice Mayor Lob: "aye"
Councilman Best: "aye"
Councilman Espino: "aye"
Councilwoman Ator: "no"
Mayor Bain: "aye"
Vote: 4-1

- 7A) Reso. No. 2010-3487 (Continued) Council **adopted** a resolution, **as amended**, tentatively approving Fiscal Year 2010-2011 budget; confirming date, time and place of final public hearing.
Motion: Councilman Best
Second: Vice Mayor Lob
Vote: 5-0
8. **Consent Agenda:** **(All items simultaneously approved)**
- 8A) City Attorney's Invoice Council **approved** payment of the City Attorney's invoice for August 2010 in the amount of \$11,913.75.
Motion: Councilwoman Ator
Second: Vice Mayor Lob
Vote: 5-0
- 8B) Gym Floor Cover Council **awarded** a bid for gym floor cover to Superior Parks Systems, Inc., utilizing Miami-Dade County Contract Bid # 4907-3/13-1, in an amount not to exceed \$39,147.87, pursuant to Section 31.11 (E) (5) of the City Code.
Motion: Councilwoman Ator
Second: Vice Mayor Lob
Vote: 5-0
9. **Old Business:**
- 9A) Appointments to Advisory Boards Vice Mayor Lob (Group III) **re-appointed** Ariana Fajardo to the Board of Adjustment/ Zoning and Planning Board for an unexpired term ending on April 30, 2013.

Mayor Bain **re-appointed** Walter M. Dworak to the Code Enforcement Board for a full 3-year term ending on September 30, 2013.
- 9B) Progress Report: CITT Projects Council **received** a status report regarding the CITT projects.

Council **scheduled** a Special Meeting for Monday, September 20, 2010 at 7:00 p.m. to discuss some of the items.

- 9B) Progress Report: CITT Projects Council **directed** Staff to invite members of the Architectural Review Board to come to the meeting and also invite Calvin, Giordano & Associates, Inc.
10. **New Business:** *Agenda Items 10A and 10B approved with one motion*
- 10A) Appointment to the Police and Firefighters Retirement System Council **re-appointed** Gene Duffy to the Police and Firefighters Retirement System board for a full two-year term ending on 9/30/2012.
Motion: Councilwoman Ator
Second: Vice Mayor Lob
Vote: 5-0
- 10B) Appointment to the Police and Firefighters Retirement System Council **re-appointed** Peter G. Baan to the Police and Firefighters Retirement System board for a full two-year term ending on 9/30/2012.
Motion: Councilwoman Ator
Second: Vice Mayor Lob
Vote: 5-0
- 10C) First Reading – Ordinance No. 996-2010 On first reading, Council **approved** an ordinance amending Code of Ordinance Section 35-31, Members Deposit Fund; by adding thereto an additional provision authorizing the payment of one-half of any annual excess contribution that may be required to maintain the actuarial soundness of the City Employees Retirement Plan.
Motion: Vice Mayor Lob
Second: Councilman Best
Vote: 5-0

10D) First Reading –
Ordinance No. 997-2010

On first reading, Council **approved** an ordinance amending Code of Ordinance Section 35-33, Pension Reserve Fund; by adding thereto an additional provision authorizing the payment of one-half of any annual excess contribution that may be required to maintain the actuarial soundness of the City Employees Retirement Plan.

Motion: Councilman Best

Second: Vice Mayor Lob

Vote: 5-0

10E) First Reading –
Ordinance No. 998-2010

On first reading, Council **approved, as amended**, an ordinance amending Code of Ordinance Sections 153-23, Notification of Owner; Government Agencies, and 153-24, Public Hearings; Notification; by adding a provision to both ordinances requiring owners to be served personally with “Historic Designation” materials and notices of hearing.

Motion: Councilman Best

Second: Councilman Espino

Vote: 5-0

10F) Resolution No.2010-3488

Council **adopted** a resolution approving and adopting the “Pay Plan” of the City for the Fiscal Year 2010-2011.

Motion: Councilman Espino

Second: Councilman Best

Vote: 5-0

10G) Resolution No.2010-3489

Council **adopted** a resolution amending the current “Schedule of Charges” for building, plumbing, electrical, mechanical and other related permit charges or fees.

Motion: Councilwoman Ator

Second: Councilman Best

Vice Mayor Lob: “aye”

Councilman Best: “aye”

Councilman Espino: “aye”

Councilwoman Ator: “aye”

Mayor Bain: “no”

Vote: 4-1

10H)	Contract Renewal – Lease: Community Policing Office	Council waived the competitive bid process and approved an expenditure of \$19,200.00 to C. R. DeLongchamp for a contract renewal option for an additional twelve-month period, pursuant to Section 31.11 (E) (6) (g) of the City Code. Motion: Councilman Espino Second: Vice Mayor Lob Vote: 5-0
10I)	RFP No. 11-09/10 – Debris Removal, Reduction and Disposal Services	The City Manager pulled this item.
11.	Other Business:	None
12.	Reports & Recommendations:	
12A)	City Attorney	None
12B)	City Manager	
	Handicap Ramp	City Manager Borgmann explained that the handicap accessibility ramp at the Circle drugstore was to begin this week but was delayed to Monday, September 20 th due to the rain.
		Mayor Bain asked for the River Cities Gazette to publish a report on the project.
	City Hall Repair	City Manager Borgmann reported that Staff is waiting for bids to come in for the repair of the front columns on City Hall.
	Barricade	City Manager Borgmann announced that Miami-Dade County began work on the barricade along North Royal Poinciana Boulevard to make openings so that the bike path is accessible.

12B) Annexation

City Manager Borgmann stated that members of the Planning Advisory Board received input from business and property owners in the proposed annexation area. The vote was against all the annexation applications and another meeting is scheduled for Monday, September 20th to consider Doral's application since the meeting ended at 6:00 p.m. due to the Jewish holiday. The recommendation of the Planning Advisory Board will go forward to the County Commission.

City Attorney Seiden said that City Lobbyist Jose Fuentes suggested that all four cities should have a discussion as to how to proceed.

Citizens Independent
Transportation Trust (CITT)

City Manager Borgmann reported that he will meet with County Manager Burgess and other city managers at 9:00 a.m. on Friday September 17th in regard to the CITT funds. The ordinance provides that 80% of the proceeds go to the County and 20% to the existing cities. Since that time, three more cities have incorporated and they want to be part of the program. The debate is who will pay and if the funding will come from the County or the cities' share of the revenue.

12C) **City Council**

Color Palette

Councilwoman Ator asked if the color palette had been located and the City Manager responded negatively.

Basketball Court

Councilwoman Ator announced that the basketball court construction at All Angels Church is finished.

Basketball Court

Councilman Best commented that he watched the construction of the basketball court at All Angels and everyone did a good job.

12C) Pelican Playhouse

Councilman Best reported that the Pelican Playhouse production will commence with Friends of the Theatre on September 23rd. Public performances will be held on September 24th through 26th and the following weekend on October 1st – 3rd. The Friday and Saturday performances are at 7:30 p.m. and Sunday matinees at 2:00 p.m. The production is a modern day rendition of “The Brothers Grimm”.

Premier Card

Councilman Best said that the Premier Card mentioned by Luis Mehech during Open Forum was considered once before and the terms may have changed since then.

Mayor Bain requested an agenda item for the next meeting to consider the program because Council had never received a presentation on the benefits or disadvantages.

Community Center Event

City Manager Borgmann reported that the City was approached to host an event at the Community Center in the gymnasium as part of the Hispanic Heritage Month activities in October by a major sports operation that is creating a charitable opportunity to raise funds for the benefit of La Liga Contra el Cancer. The event would be held on a Saturday, lasting for two hours with 400 kids participating in the indoor activities. Another group of up to 1,000 kids and adults would be able to participate in outdoor activities in the parking lot. There will also be Hispanic food vendors from several restaurants.

12C)

Community Center Event

City Manager Borgmann explained that the concern is the potential amount of traffic in the surrounding neighborhood. He noted that the organizers need an answer by tomorrow and would like the City to donate \$6,700 or part of the costs. He wants to be sure that the event can be held without causing a negative impact on the neighborhood.

After a lengthy discussion considering the pros and cons and because of the publicity and good will that the event will bring, Council agreed to allow the event to take place at the Community Center after the Police Chief indicated that in the worst case scenario the City could be gridlocked for a couple of hours.

Community Summit

Councilman Espino stated that he copied Council on a letter that he will be sending to all community churches, schools, clubs and organizations. He will be hosting a Community Summit at the Community Center on Wednesday, October 6th at 7:00 p.m. in order to bring together everyone during these difficult financial times.

Mayor Bain asked if Council had to approve use of the facility and Councilman Espino felt that the approval could be done administratively.

Commercial Recycling

City Manager Borgmann announced that the City is working with the Chamber of Commerce to assist businesses with recycling as many were noticed that they are in violation of the County Code and the County provided brochures for the City Code Compliance Staff and the Chamber to give to the businesses.

- 12C) Commercial Recycling (Cont.) Mayor Bain asked why Code Compliance Officers were involved and the City Manager responded that the City is conducting a “clean-up, spruce-up” campaign along with the recycling information.
- Resolution City Attorney Jan K. Seiden stated that the Miami-Dade County League of Cities is asking for the cities to pass a resolution in support of the South Florida Park Coalition Charter. He will give the information to the City Clerk for placement on a future agenda.
- Lighting Mayor Bain said that the new lighting throughout the City is encouraging people to walk and get in shape. In some cities they have water stops and people have told him that they would like to have this in Miami Springs. He said that the CITT funds might be able to cover this expense.
13. Adjourn Meeting adjourned at 9:31 p.m.